

REMARKS

By this amendment, claims 1-33, 36, 37, and 41-43 are pending, of which claims 2, 4, 5, 9, 10, 15, 19, 20, 26, and 41-43 are currently amended. No new matter is introduced.

The Office Action mailed July 9, 2010:

(1) rejected claims 2, 4, 5, 9, 10, 19, 20, 26, and 41-43 under 35 U.S.C. § 112, second paragraph, as being unpatentable for failing to particularly point out and distinctly claim the subject matter of the invention,

(2) rejected claims 1-7, 9, 15-22, 24-33, 36, 37, and 41-43 under 35 U.S.C. § 103(a) as being unpatentable over *Uchida et al.* (US 2002/0049620) in view of *Adler* (US 6,249,765) and *Ellis* (US 2005/0028208),

(3) rejected claims 8, 10-14, and 23 under 35 U.S.C. § 103(a) as being unpatentable over *Uchida* in view of *Adler* and *Ellis*, and further in view of *Yuen et al.* (US 6,430,359), and

(4) alternatively rejected claims 1-7, 9, 15-22, 24-33, 36, 37, and 41-43 under 35 U.S.C. § 103(a) as being unpatentable over *Uchida* in view of *Lawande et al.* (US 6,934,740) and *Ellis*, and

(5) alternatively rejected claims 8, 10-14, and 23 under 35 U.S.C. § 103(a) as being unpatentable over *Uchida* in view of *Lawande* and *Ellis*, and further in view of *Yuen*.

A. 35 U.S.C. § 112 Rejection of Claims 2, 4, 5, 9, 10, 19, 20, 26, and 41-43

In response to the rejection of claims 2, 4, 5, 9, 10, 19, 20, 26, and 41-43 under 35 U.S.C. § 112, second paragraph, Applicants have amended claims 2, 4, 5, 9, 10, 15, 19, 20, 26, and 41-43 to correct the antecedent basis problems specified in the Office Action, and to correct other informalities. Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 112 rejection.

B. 35 U.S.C. § 103(a) Rejection of Claims 1-7, 9, 15-22, 24-33, 36-37, and 41-43 Over Uchida In View of Adler and Ellis

Applicants respectfully traverse the 35 U.S.C. § 103(a) rejection of claims 1-7, 9, 15-22, 24-33, 36-37, and 41-43 over *Uchida* in view of *Adler* and *Ellis*, because all features of the claims are not disclosed by the applied art, either individually or in combination.

Each of the independent claims 1, 15, and 25 recites a feature whereby “**the electronic programming guide is accessed in response to receiving a message including a reference to a recommended broadcast program, and wherein the at least one specific occurrence of a broadcast program is the recommended broadcast program.**” Accordingly, in accordance with each of these independent claims, the selected broadcast program is entered in the electronic calendar in response to a message that recommends the particular program.

As the primary reference under the rejection, the Office Action cites the *Uchida* reference. *Uchida* generally teaches a reservation system for the setting of a recording reservation and a program viewing reservation of a target broadcast program in a calendar as a schedule table, where the reservation is input into a selected date through the displayed calendar. At page 6 of the Office Action, however, the rejection acknowledges that *Uchida* lacks the disclosure of the presently claimed feature whereby the selected broadcast program is entered in the electronic calendar in response to a message that recommends the particular program. Instead, the Office Action cites to *Ellis* for the alleged disclosure of this feature.

Ellis generally teaches an interactive television program guide with remote access. More specifically, *Ellis* teaches a remote program guide access device that interfaces with local interactive television program guide equipment via a remote access link to provide the user with remote access to the local program guide functions. (*Ellis*, p. 1, Abstract) The object or

purpose of the remote program guide access device of *Ellis* is to enable a user to access the user's in-home television program guide devices from a remote location to set various program guide settings or access various program guide functions. (*Ellis*, ¶¶ 10, 101) According to the teaching of *Ellis*, therefore, in the case where the user desires to schedule a program reminder, the user accesses a program reminder function and the user directly selects the particular program desired by the user. Nowhere, however, does the *Ellis* reference disclose or suggest the setting of a program reminder in response to a message that provides a recommendation for a particular program, as recited in the present claims.

The Office Action specifically cites to *Ellis* at ¶¶ 103-108, 110, 115, 119, 123, and 125-127 for the alleged disclosure of the setting of a program reminder in response to a message that recommends the selected program. None of the cited paragraphs, however, include any mention or suggestion of the setting of a program reminder in response to a recommendation contained in a received message. While ¶¶ 103 and 107 provide that the program guide functions that may be remotely accessed include the scheduling of program reminders, ¶¶ 108, 110, 115 and 117 make clear that the reminder is set pursuant to a command initiated by the user – in other words, the user controls the access to the local program guide device and directly selects the desired program. Further, while ¶ 106 discusses the messaging scheme for transmission of data between the remote program guide access device and the local in-home program guide device, and discloses that the data may be encapsulated in e-mail messages, this disclosure is again in the context of the user directly controlling the local in-house program guide device through the remote program guide access device. The desired program is NOT selected based on a recommendation contained in a received message.

Additionally, none of the other paragraphs of *Ellis* cited in the Office Action disclose or suggest this feature. Paragraph 110 discusses examples of how the remote program guide access device interacts with and accesses the program guide information of the local program guide device in response to the user's command input into the remote device. Paragraph 115 in fact supports Applicants' arguments above – ¶ 115 discloses that, once the user selects the desired program, the user may then access a number of program guide features, such as scheduling an associated program reminder. Paragraph 119 discloses an approach whereby “reminders may be sent as e-mail messages from the interactive television program guide to remote program guide access device 24.” With respect to this paragraph, it is unclear how this has any bearing on the Applicants' claimed invention, as an e-mail message reminder sent from the local program guide device to the remote device has no apparent relation to the setting of a reminder in the local device in response to a received message.

Next, paragraph 123 discusses the remote access to a favorites function in the local program guide device (e.g., setting up or navigating through a list of favorite channels or programs on the local program guide device). Paragraphs 125-126 discuss user preferences, such as (again) a listing of favorite channels for the user, or a profile limiting the data provided by the local program guide device to the remote program guide access device (e.g., to conserve bandwidth). Finally, paragraph 127 discusses the remote scheduling of recordings, but (similar to the disclosure regarding scheduling of program reminders) this disclosure regarding the remote scheduling of recordings lacks any teaching or suggestion of scheduling a recording in response to a program recommendation contained in a received message.

Indeed, *Ellis* is devoid of any teaching or suggestion of a function whereby a program reminder is set for a program selected based on a recommendation contained in a received message, as recited in the presently claimed invention.

The Office Action cites to *Adler* for the alleged teaching of the visual association of a user identifier with events stored in an electronic calendar. *Adler* generally teaches a system and method for extracting key information from digitized audio messages, including telephone voice messages. Information, such as a telephone number and the name of the caller, is derived and extracted from a voice message and used to establish links to the information within the message. *Adler*, however, also lacks any disclosure or suggestion of setting a program reminder in response to a program recommendation contained in a received message.

Accordingly, neither *Uchida*, *Adler* or *Ellis* alone, nor the combination of *Uchida* in view of *Adler* and *Ellis*, render independent claims 1, 15, and 25, or claims 2-7, 9, 16-22, 24, 26-33, 36-37, and 41-43 depending therefrom, obvious under 35 U.S.C. § 103.

C. 35 U.S.C. § 103(a) Rejection of Claims 8, 23, and 10-14 Over *Uchida* In View of *Adler* and *Ellis*, and Further In View of *Yuen*

Applicants respectfully traverse the 35 U.S.C. § 103(a) rejection of claims 8, 23, and 10-14 over *Uchida* in view of *Adler*, *Ellis* and *Yuen*, because all features of the claims are not disclosed by the applied art, either individually or in combination.

Claims 8 and 23 depend from claims 1 and 15, respectively. The Office Action applies *Uchida*, *Adler* and *Ellis* to the rejected claims on the same bases as with the § 103(a) rejection of claims 1-7, 9, 15-22, 24-33, 36-37, and 41-43 over *Uchida* in view of *Adler* and *Ellis* (addressed in Section B, above). The Office Action cites to *Yuen* for the alleged disclosure of the claimed element of entering a code for a selected program, the code uniquely identifying the selected

program, as recited in claims 8 and 23. *Yuen* generally discloses a process for using a compressed code corresponding to a program listing for programming a video recording device. *Yuen*, however, also lacks any disclosure or suggestion of setting a program reminder in response to a program recommendation contained in a received message.

Independent claim 10 recites the feature whereby “**the code for a specific occurrence of a broadcast program is received in a message that recommends the specific occurrence of a broadcast program.**” Accordingly, similar to independent claims 1, 15, and 25, in accordance with independent claim 10, the selected broadcast program is entered in the electronic calendar in response to a message that recommends the particular program.

Accordingly, for at least the reasons set forth above with respect to independent claims 1, 15, and 25, neither *Uchida*, *Adler*, *Ellis* or *Yuen* alone, nor the combination of *Uchida* in view of *Adler*, *Ellis* and *Yuen*, render independent claim 10, or claims 11-14 depending therefrom, or claims 8 or 23 depending from claims 1 and 15, obvious under 35 U.S.C. § 103.

D. 35 U.S.C. § 103(a) Alternative Rejection of Claims 1-7, 9, 15-22, 24-33, 36-37, and 41-43 Over *Uchida* In View of *Lawande* and *Ellis*

Applicants respectfully traverse the 35 U.S.C. § 103(a) rejection of claims 1-7, 9, 15-22, 24-33, 36-37, and 41-43 over *Uchida* in view of *Lawande* and *Ellis*, because all features of the claims are not disclosed by the applied art, either individually or in combination.

The Office Action applies *Uchida* and *Ellis* to the rejected claims on the same bases as with the § 103(a) rejection of claims 1-7, 9, 15-22, 24-33, 36-37, and 41-43 over *Uchida* in view of *Adler* and *Ellis* (addressed in Section B, above). Instead of *Adler*, here the Office Action cites to *Lawande* for the alleged teaching of the visual association of a user identifier with events stored in an electronic calendar. *Lawande* generally teaches a software architecture and method

for sharing data objects among multiple applications in a client device. The architecture includes a server process in the client device for processing a template, such as a SHTML template for the Extended Markup Language, based on a template identifier value received from a user application. The teaching of *Lawande* generally applies to the updating of database information (e.g., weather, stock quotes, movie schedules, etc.) on a client device. *Lawande*, however, also lacks any disclosure or suggestion of setting a program reminder in response to a program recommendation contained in a received message.

Accordingly, for at least the reasons set forth above with respect to independent claims 1, 15, and 25, neither *Uchida*, *Lawande* or *Ellis* alone, nor the combination of *Uchida* in view of *Lawande* and *Ellis*, render independent claims 1, 15, and 25, or claims 2-7, 9, 16-22, 24, 26-33, 36-37, and 41-43 depending therefrom, obvious under 35 U.S.C. § 103.

E. 35 U.S.C. § 103(a) Alternative Rejection of Claims 8, 23, and 10-14 Over *Uchida* In View of *Lawande* and *Ellis*, and Further In View of *Yuen*

Applicants respectfully traverse the 35 U.S.C. § 103(a) rejection of claims 8, 23, and 10-14 over *Uchida* in view of *Lawande*, *Ellis* and *Yuen*, because all features of the claims are not disclosed by the applied art, either individually or in combination.

The Office Action applies *Uchida*, *Lawande* and *Ellis* to the rejected claims on the same bases as with the § 103(a) rejections of claims 1-7, 9, 15-22, 24-33, 36-37, and 41-43 addressed in Sections B and D, above. Further, the Office Action applies *Yuen* to the rejected claims on the same bases as with the § 103(a) rejection of claims 8, 23, and 10-14 addressed in Section C, above. Accordingly, for at least the reasons set forth above with respect to independent claims 1, 15, and 25, neither *Uchida*, *Lawande*, *Ellis* or *Yuen* alone, nor the combination of *Uchida* in

view of *Lawande, Ellis and Yuen*, render independent claim 10, or claims 11-14 depending therefrom, or claims 8 or 23 depending from claims 1 and 15, obvious under 35 U.S.C. § 103.

F. Conclusion

The present application, therefore, overcomes the objections and rejections of record and is in condition for allowance. Favorable consideration is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at (703) 519-9952 so that such issues may be resolved as expeditiously as possible.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 504213 and please credit any excess fees to such deposit account.

Respectfully Submitted,

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Date

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